

STATE BAR OF CALIFORNIA
COMMISSION FOR THE REVISION OF THE RULES
OF PROFESSIONAL CONDUCT

OPEN SESSION AGENDA

Friday, December 2, 2005
(9:15 am - 12:30 pm and 1:00pm - 5:00 pm)

VIDEO-CONFERENCE MEETING

SF–State Bar Office
180 Howard Street, Room 8-B
San Francisco, CA 94105

LA–State Bar Office
1149 So. Hill Street, Room 723
Los Angeles, CA 90015

[NOTE RE MEETING SITE: For members of the public, this meeting can be accessed by video-conference from both the State Bar Office in San Francisco at 180 Howard Street, Room 8B and the State Bar Office in Los Angeles, 1149 So. Hill St., Rm. 723. Members of the public who wish to attend this meeting are asked to call Audrey Hollins at 415-538-2167.]

I. APPROVAL OF OPEN SESSION ACTION SUMMARY FROM THE OCTOBER 28-29, 2005 MEETING

(Draft action summary to be circulated prior to the December meeting.)

II. REMARKS OF CHAIR

A. Chair's Report

(The Chair will provide an oral report on administrative, procedural, or other informational matters.)

B. Staff's Report

(Staff will report on the activities of COPRAC and the Board of Governors.)

III. **MATTERS FOR ACTION** (Name with asterisk is lead drafter, underline indicates a newly added co-drafter.)

*Tuft

Martinez

Peck

- A. **Consideration of Rule 1-300 [ABA MR 5.5, MR 5.3] (Unauthorized Practice of Law; Multijurisdictional Practice of Law) (Including consideration of discussion section re “definition of the practice of law” in rule 5.5 and proposed rule 5.3.1 [1-311])**
[anticipated 1 ½ hour discussion]
(Materials enclosed.) **[pages 1 – 64]**

*Ruvolo

Julien

SeLegue

- B. **Consideration of Rule 3-500 [ABA MR 1.4] Communication; and Consideration of Rule 3-510 [ABA MR 1.2(a)] Communication of Settlement Offer**
[anticipated 1 hour discussion]
(Materials enclosed.) **[pages 65 – 70]**

*Kehr

Sapiro

SeLegue

- C. **Consideration of ABA MR 5.7. Responsibilities Regarding Law-Related Services (no California counterpart)**
[anticipated 1 hour discussion]
(Materials enclosed.) **[pages 71 – 82i]**

*Lamport
Foy
Melchior
Mohr
Voogd

- D. Consideration of Rule 3-600 [ABA MR 1.13] (Organization as Client)**
[anticipated 1 hour discussion]
(Materials to be circulated prior to meeting.)

*Sapiro
Melchior
Martinez

- E. Consideration of Rule 2-300 [ABA MR 1.17] Sale or Purchase of a Law Practice of a Member, Living or Deceased**
[anticipated 1 hour discussion]
(Materials enclosed.) *[pages 83 – 114]*

*Peck
Martinez

- F. Consideration of Rule 9.1 [Rule 2-400]. Prohibited Discriminatory Conduct in a Law Practice**
[anticipated 1 hour discussion]
(Materials enclosed.) *[pages 115 – 120]*

*Lamport
Tuft
Voogd

- G. Consideration of Rule 1.8.1 (Rule 3-300). Avoiding Interests Adverse to a Client**
[anticipated 1 hour discussion]
(Materials to be circulated prior to meeting.)